United Nations E/C.19/2003/L.2/Add.3

Economic and Social Council

Distr.: Limited
21 May 2003

Original: English

Permanent Forum on Indigenous Issues
Second session
New York, 12-23 May 2003
Agenda item 4 (b)
Mandated areas: environment

Chairperson's summary of discussion

Environment

Member States

1. The representative of Mexico discussed that country's national strategy for development and sustainable development, which was based on the preservation of environment on land and seas. The representative stated that the rational use of natural resources would improve the condition of indigenous communities. The representative of Denmark spoke about a sustainable development workshop for indigenous peoples that Denmark hosted and that country's desire to build partnerships with the Forum (Mr. Jacanamijoy participated). Denmark would continue to build on that work and report to the Forum as it strived for partnerships with indigenous peoples.

United Nations system

2. The representative of the United Nations Environment Programme (UNEP) recognized the unique contributions that indigenous peoples made to international dialogues on environment. UNEP discussed the importance of integrating diversity of nature and global environmental ethics and of promoting greater understanding of the links between cultural diversity and biological diversity, noting that rich diversity was a collective strength, that sustainable development could be strengthened by recognizing the link between biological diversity, and the emergence of a new respect for indigenous peoples and their ecological knowledge that had been all but lost by contemporary societies. The representative of the United Nations Development Programme also discussed its various sustainable development projects and the involvement and participation of indigenous peoples.

3. The representative of the International Fund for Agricultural Development discussed its work with the rural poor, and noted that poverty was linked to marginalized peoples who often lived in remote areas and suffered a lack of basic

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infrastructure and other basic services. Indigenous peoples were increasingly being displaced from their lands, but ending that marginalization would lead to stability and sustainable development. A solution lay in strengthening indigenous peoples' right to land while recognizing indigenous knowledge and compensating indigenous peoples for the environmental services they provided to local, regional and global economies.

Indigenous peoples organizations

4. Many indigenous peoples organizations participated in the discussion. A comprehensive set of environment-related issues was presented to the Forum, which included but was not limited to free, prior and informed consent; access to and right to manage traditional lands; access to natural resources (safe and unpolluted); the need for an international instrument to settle environmental disputes; access to the International Criminal Court for disputes between indigenous peoples and nations; the need for protection of sacred places and sites acknowledged as the sacred birthright of indigenous children; forced relocations of indigenous peoples without compensation or option to return; the need for full participation in development; pollution of air, water and territories and effects on animal and plant life; sustainable development that maintained cultural identity; sustainable use of natural resources; participatory sustainable development and need for indigenous peoples to participate in democratic governance processes; recognition of indigenous collective rights, including self-determination and the rights embodied in the Declaration on the Rights of Indigenous Peoples; an end to the militarization of indigenous lands, especially indigenous territories which occupied border lands; the role of indigenous peoples in maintaining biodiversity, seed banks and food diversity; and concern over genetically altered seeds that could contaminate natural seeds and lead to decreasing food diversity and cause food dependence on seeds from multinationals.

5. Many indigenous representatives noted that poverty had a negative impact on the environment, and some indigenous representatives from Latin America drew the Forum's attention to environmental pollution caused by the eradication of coco leaf through defoliants. Further concerns were raised regarding food insecurity caused or exacerbated by pollution, conflict and environmental degradation. There were also solutions offered and examples of good practices, including indigenous reclamation of land projects where communities of committed indigenous peoples were reclaiming the desert and restoring it to the original condition. Other indigenous peoples emphasized the need for aboriginal participation in forest management, noting that 80 per cent of indigenous Canadians lived in areas of forests. It was noted that indigenous peoples had an economic interest in their forests, and all six mandated areas concerned forests, making it a cross-cutting issue. Further recommendations were made requesting that Governments, corporations and intergovernmental organizations adhere to international human rights standards, and that all development on indigenous lands require indigenous peoples' free, prior and informed consent. It was emphasized that consultation be carried out by culturally appropriate means in all decision-making activities and all matters that might affect the indigenous peoples concerned.

6. Many indigenous groups raised concerns about environmental racism and the pollution of indigenous territories and the transport and storage of toxic and radioactive materials. The indigenous peoples of the Niger River Delta condemned the environmental vandalism of Texaco. Many indigenous representatives drew

attention to the loss of biodiversity caused by mono-plantations, such as cotton, tobacco, sugar cane, tea and coffee, and noted that all too often those projects were funded by international banks. Many indigenous representatives called for a balance of social development within the parameters of sustainable development to ensure cultural continuity, and noted the need to raise awareness among children and youth about environment. Indigenous representatives stated it was important to give young people the chance to help shape the future as the bearers of cultural traditions.

7. Many indigenous representatives expressed grave concern over bio-piracy and genetic engineering, and called for the protection of genetic resources and a moratorium on bio-prospecting. The protection of traditional knowledge and indigenous intellectual property was a high priority for indigenous peoples and could be coupled with free, informed and prior consent.

8. A number of indigenous groups from Australia noted the continuing erosion of native title on the Pintinjara and other Aboriginal native title lands, and also noted the Hindmarsh Island case and the government discreditation of aboriginal evidence in the Royal Commission. Further concerns were raised regarding radioactive waste dumping on indigenous lands and the bias of the legal system, and it was noted that the interpretation of aboriginal cultural evidence through the western legal systems continued to deny a just outcome for native titles for indigenous Australians. The Native Title Act in Australia had been amended in such a way as to be a barrier to indigenous peoples of Australia to enjoying their human rights to land and culture.

9. Recommendations made by the indigenous representatives included:

(a) Indigenous representatives called for the full implementation of the outcomes of recent major United Nations summits and conferences to address many of the issues raised during the session;

(b) The Forum should request the Commission on Sustainable Development in conjunction with secretariats of environmental bodies, such as the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change, to compile a report on the implementation of chapter 26 of Agenda 21 and other relevant chapters, such as chapter 36 and 15. The report should focus specifically on how those environmental secretariats/agencies were implementing the chapters for indigenous peoples in their programmes of work under their conventions. The report should be submitted in writing to the Forum at its third session;

(c) A world conference should be convened on indigenous peoples and sustainable development;

(d) The development of an ethical code to address bio-prospecting;

(e) A recommendation for a survey of indigenous peoples and environmental health;

Forum members

10. Mr. Littlechild thanked all the speakers for their excellent interventions and recommendations on agenda item 4 (b). He noted that everybody shared the environment. He also supported all calls for the protection and respect for Mother Earth. He reminded the delegates that in the International Year of Freshwater (2003), the Treaty Six territory had retained its water rights and wished those legal

obligations to be respected and honoured according to their original spirit and intent. He emphasized that indigenous nations used water for spiritual purposes, which must be respected. Mr. Tamang acknowledged the contributions of all speakers, especially those who had submitted written statements and recommendations.

11. Mr. Kouevi noted the adverse effects of mining and corresponding recommendations to carry out studies and produce reports with data. He noted that some speakers spoke of establishing legal processes to protect and redress environmental discrimination. He recalled the need to take into account the knowledge and traditional laws of indigenous peoples. Ms. Qin noted that the unlimited expansion of societies have greatly reduced rainforests and negatively impacted on the lands of indigenous peoples, reducing their ability to access their territories and live in sustainable ways. Ida Nicolaisen noted the severe problems faced in west and northern Africa. She noted that indigenous peoples needed to both exploit and preserve their environments and that that was difficult when ownership was not respected. Ms. Lux de Coti noted the rape of the forests and environment, and recalled recommendations to States to preserve forests and rivers and avoid privatizing those resources, thus guaranteeing citizenship rights of indigenous peoples. She encouraged United Nations bodies to promote the adoption of sustainable development models. She called for the adoption of the Kimberley Declaration. Mr. Turpo Choquehuanca referred to the Andes situation and asked Governments to enact very strict laws to protect the environment. Ms. Njuma supported the recommendations made by Ms. Lux de Coti, noting the progress of desertification in her area. Ms. Njuma stated that Pygmy knowledge was ignored by timber harvesters and that the desert was advancing. Mr. Jacanamijoy discussed the various biodiversity conventions and the importance of their full implementation, and recommended convening a high-level panel to deal with environmental and biodiversity issues.